

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

GREGORY WEAVER, Individually and on Behalf of all others similarly situated,)	
)	
Plaintiffs,)	
)	Case No. 22-CV-3108-SMY
vs.)	
)	
OSMOSE UTILITIES SERVICE, INC.,)	
)	
Defendant.)	

ORDER

Now pending before the Court is Defendant Osmose Utilities Service, Inc.’s Motion to Transfer Case (Doc. 9). Plaintiff Gregory Weaver joined in the motion (Doc. 12).

Osmose is a Delaware corporation based in Peachtree City, Georgia that provides “construction, maintenance, and inspection services to the utility and telecommunications industries throughout the United States” (Doc. 1-1). On March 18, 2021, suit was filed against Osmose in the Northern District of Georgia for allegedly violating the Fair Labor Standards Act and Massachusetts labor law by allegedly failing to compensate crew members for all hours worked. *Desmond Hodges, individually, and on behalf of all others similarly situated v. Osmose Utilities Services, Inc.*, Case No. 3:21-cv-00041-TCB, Doc. 1 (N.D. Ga. Mar. 18, 2021). Plaintiff Gregory Weaver subsequently filed the instant lawsuit in which he alleges that Osmose violated Illinois wage and labor laws with respect to Illinois crew members (Doc. 1-1).

28 U.S.C. § 1404(a) permits the Court to transfer an action filed in a proper district to a district that may be more convenient, in the interests of justice. *Research Automation, Inc. v. Schrader-Bridgeport Intern., Inc.*, 626 F.3d 973, 977 (7th Cir. 2010). The Court enjoys broad discretion in transferring an action and considers several factors including, the convenience of the

parties, the convenience of the witnesses, the location of material events and material evidence, and the interests of justice. *Id.* at 978; *Coffey v. Van Dorn Iron Works*, 796 F.2d 217, 219 (7th Cir. 1986) (“In passing on a motion for transfer, the district judge must consider the statutory factors in light of all the circumstances of the case”). Here, given the parties’ agreement that the Northern District of Georgia is the more appropriate venue, and the pending lawsuit there involving other alleged wage and labor law violations by Osmose, the interests of justice warrant transfer.

Accordingly, Defendant’s motion to transfer is **GRANTED**; this case shall be transferred to the United States District Court for the Northern District of Georgia, Newnan Division. The Clerk of Court is **DIRECTED** to take all necessary and appropriate actions to effectuate the transfer.

IT IS SO ORDERED.

DATED: February 8, 2023



STACI M. YANDLE
United States District Judge